

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below

Ginette Gilbert name of person signing certification

December 2, 2002

Date

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEE FOR THIS PAPER TO DEPOSIT ACCOUNT No. 23-0975

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Confirmation No. 8019

Takeru FUJII et al.

Docket No. 2001-0019A

Serial No. 09/757,655

Group Art Unit 1648

Filed January 11, 2001

Examiner S. Brown

A PEPTIDE HAVING AN AFFINITY FOR

gp120

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents, Washington, D.C. 20231

Sir:

Applicants have filed this Supplemental Paper to note an error in Applicants' Response to Restriction Requirement dated November 26, 2002.

Applicants mistakenly elected the amino acid sequence combination of "H-Asn-Val-Lys-Ala-Gly-R" of SEQ ID No: 1 as set forth as No. 21 of Table 7 on page 32 of the specification.

Applicants wish to correct their election by the filing of this paper.

Thus, in response to the Restriction Requirement dated November 1, 2002, Applicants hereby change their previous election and now elect the amino acid sequence combination of "H-Asp-Val-Lys-Ala-Gly-R" of SEO ID No: 1 as set forth as No. 1 of Table 1 on page 16 of the specification. In other words, Applicants now request the Examiner to examine the amino acid sequence combination of No. 1 of Table 1 and not No. 21 of Table 7.

It is noted that this election is made by the Applicants while retaining their right to file a Divisional Application directed to the non-elected subject matter with the protection afforded by 35 USC § 121.

The claims, directed to the non-elected subject matter, remain in the application. It is requested that they be permitted to remain in a dormant condition pending the filing of a Divisional application.

By:

The Examiner accordingly is requested to proceed with an examination on the merits.

Respectfully submitted,

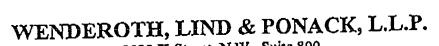
Takeru FUJII et al.

Lee Cheng

Registration No. 40,949

Attorney for Applicants

LC/gtg Washington, D.C. 20006-1021 Telephone (202) 721-8200 Facsimile (202) 721-8250 December 2, 2002



2033 K Street, N.W., Suite 800 Washington, D.C. 20006 Phone: (202) 721-8200 Facsimile: (202) 721-8250

FAX TRANSMITTAL COVER SHEET

Date:
To: Examiner Stacy Brown
Company Name: US1 (0)
Fax Number: $\frac{703 - 7410 - 3113}{}$
From: Ginette for Lee Chen
Message: Suffernental Restriction Requirement
Total Number of Pages Transmitted, Including Cover Sheet:
CONFIDENTIALITY
The documents transmitted herewith may contain confidential and/or privileged information intended only for the use of the person or entity to whom addressed. If you are not the intended recipient, or an agent of the recipient responsible for delivering it to the intended recipient, then you have received this transmission in error and are asked to promptly advise us by telephone or fax, and return the document to us by mail. Unauthorized copying, distribution, disclosure or other use of this information by anyone other than the intended recipient or their designee is prohibited.
If there are any problems with this transmission or if you have not received all of the pages please call (202) 721-8200
Fax Operator: